

WEST VIRGINIA
OFFICE OF ATTORNEY GENERAL
Consumer Protection Division

HEALTH SPA
IRREVOCABLE LETTER OF CREDIT FOR USE AS PERFORMANCE BOND

Note: The following letter of credit has been prescribed by the West Virginia Attorney General's Office for use as a performance bond. No changes may be made to this language without the prior approval of the West Virginia Attorney General.

BENEFICIARY

RECIPIENT

State of West Virginia Office of
Attorney General
Consumer Protection Division
812 Quarrier Street
L & S Building, Sixth Floor
Charleston, West Virginia 25301

Letter of Credit No. _____

Amount \$ _____

Dear Attorney General:

We hereby open our irrevocable letter of credit on _____, 20____, in your favor for the account of _____ for the sum of \$50,000.00 payable in part or in full upon demand and receipt from the West Virginia Office of Attorney General for the specific and sole purpose of covering claims by consumers for prorated refunds of monies tendered in advance for membership in aforesaid health spa in the event said spa subsequently closes or is otherwise unable to provide services for the full period of time paid by the consumer.

This letter of credit will expire on _____, 20____. However, this letter of credit will automatically be extended for periods of one year from any scheduled expiration date (as originally scheduled or automatically extended) and may only be terminated with the written consent of the West Virginia Attorney General.

We will give prompt notice to the permittee and to the Office of the Attorney General, of any notice received or action filed alleging the insolvency or bankruptcy of this bank, or alleging any suspension or revocation of our charter or license to do business. Also, we will give notice to the permittee in the event this bank becomes unable to fulfill its obligation under this letter of credit for any reason.

We certify that the amount of credit herein established will not be reduced for any reason during the period of this instrument without your written consent.

Very truly yours,

Bank Seal Here

Title

IN WITNESS WHEREOF, the Bank has hereunto set its signature and seal this ____ day of _____, 20____, before me, a Notary Public in and for the County of _____, in the State of West Virginia, appeared _____ to me personally known who, being by me duly sworn, did say that he/she is _____(Title) of _____ Bank, the bank named in and which executed the within instrument, and that the seal was affixed to, signed, sealed, and delivered in behalf of said Bank by authority of its Board of Directors, and he/she, as such officer, acknowledged said instrument to be the free act and deed of said bank for the use and purpose of said instrument as therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the ____ day, month, and year aforesaid.

My Commission Expires: _____.

Notary Public

Approved as to form this ____ day of _____, 20____.

Deputy Attorney General